

**TOWN OF ELSMERE  
PLANNING COMMISSION  
MEETING MINUTES  
April 5, 2011  
6:30 P.M.**

**PLEDGE OF ALLEGIANCE:**

**CALL TO ORDER:**

**ROLL CALL:**

Commissioner Lindell – Present  
Commissioner Sheldon – Present  
Commissioner Anderson – Present  
Commissioner Swain – Present  
Commissioner Acton – Present  
Commissioner Russo - Present  
Chairman Backer – Absent

**ACTION:** A motion was made by Commissioner Lindell to appoint Commissioner Russo as Acting Chairman in the absence of Chairman Backer. The motion was seconded Commissioner Anderson.

**VOTE:** All in favor 6-0 with 1 Absent Motion Carried

**PUBLIC COMMENT:**

None

**APPROVAL OF MINUTES:**

Approval of the Minutes from the January 4, 2011 Planning Commission Meeting

**ACTION:** A motion was made by Commissioner Lindell to approve the minutes of the January 4, 2011 Planning Commission Meeting with the following corrections; note the late arrivals of Commissioners Swain and Acton to be shown as present. Also, the voting on the Laundromat motion should read 7-0. The motion was seconded by Commissioner Acton.

**VOTE:** All in favor 6-0 with 1 Absent Motion Carried

Approval of the Minutes from the February 1, 2011 Planning Commission Meeting

**ACTION:** A motion was made by Commissioner Lindell to approve the Minutes from the February 1, 2011 Planning Commission Meeting. The motion was seconded by Commissioner Swain.

**VOTE:** All in favor 6-0 with 1 Absent Motion Carried

**NEW BUSINESS:**

Review of Petition 11-2 Tax Parcel I.D. #1900-800-370 & 1900-800-371

Mr. George Morris from First State Towing presented his application to get a recyclers license. He stated he needs the license because the recyclers he deals with are all retiring and would like the job himself.

Commissioner Russo asked what a “recycler” does.

Mr. Morris answered that they’re already doing it and what it consists of. He also stated that they would like to be able to make something out of the cars they get “stuck with”. He said they often have cars that just sit because the owners do not come to pick them up. The only way to make anything off the cars is to sell them off as salvage.

Commissioner Sheldon asked if they call in a crusher to crush the cars.

Mr. Morris stated that they do not crush the cars, there’s no need to, and they don’t have a big enough facility to do so.

Commissioner Sheldon inquired about the location of the business.

Mr. Morris stated where they are located and assures the Commission they cannot be seen by the residential areas of the Town.

Commissioner Russo asked if there are any dwellings in the area of Mr. Morris’ facility.

Mr. Morris stated that there are none, and that the closest neighbor, Mark Medori, has no objections to the petition.

Commissioner Russo asked what is taken from the cars during the processing.

Mr. Morris stated they drain and take out the gas tank and take out the batteries as well for safety issues. He went on to say they take out the converters because they contain platinum and can sell them separately. They also take off the rims and tires.

Commissioner Russo asked if the facility is able to store all of the items they were taking from the cars.

Mr. Morris stated that they're picked up weekly, so they never get more than 20 at a time.

Commissioner Lindell asked what the purpose of the requested variance if Mr. Morris is already recycling these parts.

Mr. Morris stated that he needs the recyclers license in order to sign off on his own paperwork.

Commissioner Lindell asked if they're looking to add on more space to the existing business.

Mr. Morris stated that they have no intention of expanding the size. They just want to be able to recycle the cars they already have and compare themselves to B & F, who have their recycler's license.

Commissioner Sheldon asked, on average, how many cars they usually have on site per month.

Mr. Morris stated they have 30 cars on the lot per month, 10 of which, come and go. He said the others are held for various reasons.

Commissioner Russo asked Town Manager Giles what ordinance is being dealt with for this particular hearing.

Mr. Giles stated that the action Mr. Morris wants to perform is what the State calls a "recycling" business. He went on to say that the same thing the State calls a "recycler" is defined as a "junkyard" in Elsmere. Elsmere's code prohibits junkyards in the GI District. Also said that the property is in the middle of the Flood Plain and the town was warned about issuing variances in the Plain because it may cause the town to lose its Flood Insurance.

Commissioner Russo inquired as to who they should speak with regarding questions about the Flood Plain.

Mr. Giles said we are dealing with FEMA and DNREC.

Multiple conversations took place at this time about possible solutions to the Flood Plain issue. (i.e. Different insurer, flood wall, elevation issues)

Commissioner Acton asked if Mr. Morris takes various body parts from the cars to sell.

Mr. Morris stated that they do not sell bodies of cars, and would rather just get rid of the whole car at once.

**ACTION:** A motion was made by Commissioner Russo to approve Petition #11-2 Tax Parcel I.D. #1900-800-370 & 1900-800-371 (6 N. Park Dr.) given that a variance is granted to 225-21D(8)(b) and 225-22B(1) and information regarding the questions about Flood Insurance is gathered from DNREC and FEMA. The motion was seconded by Commissioner Sheldon.

**VOTE:** All in favor 6-0 with 1 Absent Motion Carried

## **OLD BUSINESS:**

### Review of the Comprehensive Plan

Commissioner Russo suggested that the Planning Commission get some professional guidance from Ed O'Donnel as to how to go about some of the issues in the Comprehensive Plan.

Town Manager Giles reminded the Commission that any services from Ed O'Donnel and the University of Delaware comes with a fee.

Mayor Norkavage expressed concern about the increased number of traffic accidents at an unidentified location and would like to see the traffic pattern in that area altered.

Commissioner Swain said that DelDot just did the road and doesn't foresee them changing anything.

Commissioner Sheldon suggested maybe a "Warning" sign should precede the intersection.

Commissioner Russo said this is the type of scenario that he feels the Commission should seek guidance from a professional or agency on.

Mr. Giles suggested the Commission take the packets that Commissioner Lindell distributed home with them, look over it, and see what should be worked on; what areas do they need guidance on; who should they seek the guidance from; etc. He also stated that when this is done, he will get in contact with the proper agencies to get the guidance from.

Commissioner Lindell presented a suggested letter to go out to the town's residents asking for input on some of the Comprehensive Plan issues.

Town Manager Giles said to put the letter on the town's website and also to send it out with the Town-wide Cleanup flier going out that Friday.

Commissioner Swain suggested shortening the letter fearing most residents would see the length of it and decide not to read it. It was agreed upon to shorten the length of the letter.

Consideration of a request to hold a Special Planning Commission meeting on April 19, 2011 at 6:30pm.

**ACTION:** A motion was made by Commissioner Swain to hold a Special Planning Commission meeting on April 19, 2011 to review Petition 11-3 Tax Parcel I.D. #1900-900-020 (471 B & O Lane.) The motion was seconded by Commissioner Sheldon.

**VOTE:** All in favor 6-0 with 1 Absent Motion Carried

**ITEMS SUBMITTED BY CHAIRMAN AND BOARD MEMBERS:**

None

**PUBLIC COMMENT:**

None

**ADJOURNMENT:**

**ACTION:** A motion was made by Commissioner Swain to adjourn. The motion was seconded by Commissioner Lindell.

**VOTE:** All in favor 6-0 with 1 absent Motion Carried

At this time the meeting was adjourned.

These minutes summarize the agenda items and other issues discussed at the April 5, 2011 Planning Commission Meeting. Votes are recorded accurately. The audio tape(s) of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio tape(s) may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

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**CHARLES LINDELL, CHAIRMAN**

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**LEON BACKER, SECRETARY**